



## Employment 101

Your Rights as Teens



## CLS

- Community Legal Services provides quality legal representation to low-income individuals and families. CLS only represents clients in the civil court system, we do not do any criminal law. The government provides free legal representation for people charged with crimes in the criminal justice system.



## VLP

- Volunteer Lawyers Program increases the number of clients assisted by CLS.
- Private practice attorneys volunteer to take cases on a pro bono basis-that means they do it for free!
- A division of VLP is the Children's Law Center.



## CLC

- The Children's Law Center meets the legal needs of teens.
- We do this by: providing assistance
- with guardianship issues,
- adoption,
- dependency issues
- and family court issues.
- We have a free advice clinic for teens or you can get advice over the phone.
- We also collect and distribute books for our clients' children.



## How we got here...

- Nina and Roni coordinated to create this presentation. Nina does employment law at CLS and we happy to be able to talk about your rights at a job while you are still in school.
- Any questions?
- Call Community Legal Services (602-258-3434)
  - Nina Targovnik, ext. 2290
  - Roni Tropper, ext. 2660
- Here we go.



## Illegal Interview Questions

- "The law relating to what may and may not be asked during an interview is simple. Questions may not be asked for the purpose of discriminating on the basis of race, color, religion, sex, national origin, birthplace, age, or physical disability."



## Illegal Interview Questions

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|--|--|
| <ul style="list-style-type: none"> <li>• <b>Prohibited Questions:</b></li> <li>• <b>Age</b></li> <li>• How old are you?</li> <li>• When were you born?</li> <li>• When did you graduate from high school?</li> <li>• <b>National origin</b></li> <li>• Where were you born?</li> <li>• Where do your parents live?</li> <li>• What is your nationality?</li> </ul> | <ul style="list-style-type: none"> <li>• <b>Permissible Questions:</b></li> <li>• This job requires you to be 18 years old, can you meet that requirement?</li> <li>• Do you have a legal right to work in the United States?</li> </ul> |
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## Illegal Interview Questions

### Prohibited Questions

**Race**  
What is your race?

**Religion**  
What is your religion?  
What organizations do you belong to from your church? mosque? synagogue?

**Permissible Questions**  
Do you have a legal right to work in the United States?

What organizations, not associated with your religion do you belong to?



## Illegal Interview Questions

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• <b>Prohibited Questions</b></li> <li>• <b>Marital Status</b></li> <li>• Are you married?</li> <li>• Is that your maiden name?</li> <li>• Who do you live with?</li> <li>• <b>Children?</b></li> <li>• Do you have children?</li> <li>• Are you planning on having more children?</li> </ul> | <ul style="list-style-type: none"> <li>• <b>Permissible Questions</b></li> <li>• This job requires you to work nights and weekends, can you meet that requirement?</li> </ul> |
|--|---|



## Illegal Interview Questions

### Prohibited Questions

**Criminal Record**  
In some states, it is illegal to ask about your arrests and convictions, in Arizona it is not illegal.

### Disabilities

- Are you disabled?
- Do you have a medical condition?

### Permitted Questions

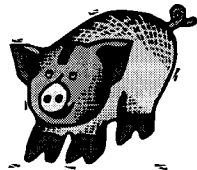
- This job requires you to be able to do \_\_\_\_\_, can you perform this function of the job?



## Getting Paid

What is the smallest *hourly wage* you can earn in Arizona (in most jobs)?

- A) \$4.25
- B) \$5.00
- C) \$6.75
- D) \$5.25



## How much are you worth?

C) \$6.75

However, the "Opportunity Wage" of \$4.25 can apply to employees who

- \* are under 20 years old
- \* only during the first 90 days of employment



## If you make \$6.75 an hour

- If you make \$6.75 an hour-how much do you make in a month?
- In a year?
- How much is an apartment?
- Food?
- Gas?
- Clothes?
- Utilities?
- Entertainment?
- Car?
- Insurance? (car and medical)



## Can you live on...

- \$1,080 a month
- or \$14,040 a year before taxes!
- Rent: \$600-800
- Food: \$200
- Gas: \$150
- Clothes: \$100-200
- Utilities: \$100-200
- Entertainment, cable, internet, cell phones: \$200
- Car: \$250
- Insurance (car and medical): \$200 for each
- TOTAL MONTHLY EXPENSES: \$2,250-\$2,250
- **STAY IN SCHOOL!**



## Oh Waiter...

I'm wait staff at a restaurant.

My employer pays me only \$3.00 an hour.

What's up with that?



## Make sure you count your tips



As a tipped employee, you only have to make the state minimum wage (\$6.75/hr) after tips are considered.



## Overtime calculations

I put in 50 hours last week.  
I make \$7.00 / hour.  
How much am I owed?

- A) \$375
- B) \$395
- C) \$350
- D) None, because I was only on the schedule for 40 hours.



## Wait lawyers hate math

B) \$395

$$\begin{array}{rcl}
 40 \text{ hours} \times \$7.00/\text{hour} & = & \$280 \\
 10 \text{ hours} \times \$10.50/\text{hour} & = & \$105 \\
 \hline
 \text{Total Wages} & = & \$395
 \end{array}$$

$$\begin{array}{r}
 10784.36 \\
 9 \div 1 \\
 \hline
 2.715372
 \end{array}$$

## Gimme a break...

True or False?

I have a right  
to one short break  
for every 4 hours  
I work.



## Sorry, Charlie

FALSE

You have absolutely NO RIGHT to a break.

If you are given a short break (5-20 minutes), then  
you must be paid for it.

If you are given a meal period (30+ minutes), then  
you don't have to be paid (if you are free from  
duties).



## I just wanna work

I want to work as many  
hours as I can.

Are there any  
restrictions on the  
number of hours  
I can work?



## No, you need to go to school

No, unless you are under 16 years old.



During School

- 3 hours / school day & 18 hours / week
- Eligible hours: 6:00 am – 9:30 (or 11) pm

During Vacation / Summer

- 8 hours / day & 40 hours / week
- Eligible hours: 6:00 am – 11:00 pm

## Clock out and Stay

We have a weekly crew  
meeting at work for  
which I have to come  
in.

Should they be  
paying me for this  
time?



## Where's the money?

Yep! You get paid for meetings unless:

- \* attendance is outside  
normal work hours, AND\* attendance is  
genuinely voluntary, AND
- \* the employee does not perform any  
productive work during the meeting



## Quitting v. Getting Fired

- Quitting a job before you get
- fired may look better on your resume
- Getting fired enables you to get unemployment insurance a little bit easier.



## How much notice



- How much notice do you need to give when you want to leave your job?
- A) two weeks
- B) no notice
- C) a month



## And the answer is...

- NO NOTICE!
- You can quit and leave, however if you do this you might not receive a good reference.
- If you signed a contract, read it and see what the notice requirement is.



## You are fired!

I just got fired. When does my former employer have to pay me?

- A) Before you walk out
- B) Within 3 work days
- C) By the next regular pay period



## You get your money...

B) Within 3 work days

If they *fire you*, they have 3 business days to pay (or the next pay period, whichever is sooner).

If you *quit*, they don't have to rush.



## You can't fire me for that, can you?

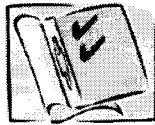
True or False?

In the U.S., an employee can only be terminated from her / his job for "just cause"?



## Well what do you know...

FALSE



Most other countries provide "just cause" protection, but non-unionized employees in the U.S. can be fired "at will."

## Just cause means:

- discrimination
- retaliation
- refusal to submit to a lie detector
- alien status
- complaining about OSHA requirements
- violations of public policy
  - like refusing to do something illegal
  - complaints about employer's illegal activity



## Discrimination & Harassment

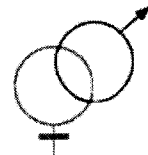
- Protected class includes:
  - age,
  - sex,
  - race,
  - national origin,
  - religion,
  - disability



## 2 Types of Harassment

Quid Pro Quo

- "something for something"



Hostile Work Environment

- "severe or pervasive" enough to make reasonable person uncomfortable

## Union Laws

- "Right to work" State
  - No "closed shops"
- What is the benefit of a union?
  - Collective representation
  - Skilled negotiators to argue on your behalf



## Some Cool Web Sites

- Lawforkids.org
- <http://www.opm.gov/flsa/>
- <http://www.dol.gov>
- [www.azleg.state.az.us](http://www.azleg.state.az.us)
- <http://www.legal-database.com>
- <http://eeoc.gov/>
- [www.superiorcourt.maricopa.gov](http://www.superiorcourt.maricopa.gov)
- [www.Mcso.org](http://www.Mcso.org)

